

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**

Gwendolyn Williams

Plaintiff,

v.

Jormandy, LLC

Defendant.

Case No. 4:14CV00038

**COMPLAINT FOR DAMAGES
UNDER THE FAIR DEBT COLLECTION
PRACTICES ACT AND OTHER
EQUITABLE RELIEF**

JURY DEMAND ENDORSED HEREIN

PARTIES

1. Plaintiff, Gwendolyn Williams, (“Gwen”), is a natural person who resided in Danville, Virginia, at all times relevant to this action.
2. Defendant, Jormandy, LLC, (“Jormandy”), is a Virginia Limited Liability Company that maintained its principal place of business in Norfolk, Virginia, at all times relevant to this action.

JURISDICTION AND VENUE

3. Pursuant to 28 U.S.C. §1331, this Court has federal question jurisdiction over this matter as it arises under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. §1692 et seq.
4. Pursuant to 28 U.S.C. §1391(b), venue is proper because a substantial part of the events giving rise to this claim occurred in this judicial district.

STATEMENT OF FACTS

5. At all times relevant to this action, Jormandy collected consumer debts.

6. Jormandy regularly uses instrumentalities of interstate commerce and the mails to collect consumer debts owed or due or asserted to be owed or due another.
7. The principal source of Jormandy's revenue is debt collection.
8. Jormandy is a "debt collector" as defined by 15 U.S.C. §1692a(6).
9. As described, *infra*, Jormandy contacted Gwen to collect a debt that was incurred primarily for personal, family, or household purposes.
10. This alleged obligation is a "debt" as defined by 15 U.S.C. §1692a(5).
11. Gwen is a "consumer" as defined by 15 U.S.C. §1692a(3).
12. Around a year ago, Jormandy contacted Gwen on Gwen's home telephone in connection with the collection of the debt.
13. During this communication, Gwen requested Jormandy cease further calls to Gwen.
14. Despite this request, Jormandy contacted Gwen on Gwen's home telephone in connection with the collection of the debt on numerous occasions, most recently around March 2014.
15. On more than one occasion, Gwen requested Jormandy cease further calls to Gwen.
16. Jormandy caused Gwen emotional distress.
17. Jormandy attempted to collect a debt from Gwen.
18. Jormandy violated the FDCPA.

COUNT ONE

Violation of the Fair Debt Collection Practices Act

19. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
20. Defendant violated 15 U.S.C. §1692c(a)(1) by calling Plaintiff at a place known to be inconvenient for Plaintiff to call at anytime.

COUNT TWO

Violation of the Fair Debt Collection Practices Act

21. Plaintiff incorporates each of the preceding allegations as if specifically stated herein.
22. Defendant violated 15 U.S.C. §1692d by engaging in conduct the natural consequence of which is to harass, oppress, or abuse Plaintiff in connection with the collection of the debt to keep calling after being told to stop.

JURY DEMAND

23. Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

24. Plaintiff prays for the following relief:
- a. Judgment against Defendant for actual damages, statutory damages, and costs and reasonable attorney's fees pursuant to 15 U.S.C. §1692k.
 - b. For such other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Hyslip & Taylor, LLC LPA

By: /s/ Sarah Timmers
One of Plaintiff's Attorneys

Sarah Timmers, Esq.
P.O. Box 3216
Roanoke, VA 24015
540-339-2215
sarahmtimmers@gmail.com